



UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

BARRY'S CUT RATE STORES INC.; DDMB, INC. d/b/a EMPORIUM ARCADE BAR; DDMB 2, LLC d/b/a EMPORIUM LOGAN SQUARE; BOSS DENTAL CARE; RUNCENTRAL, LLC; CMP CONSULTING SERV., INC.; TOWN KITCHEN, LLC d/b/a TOWN KITCHEN & BAR; GENERIC DEPOT 3, INC. d/b/a PRESCRIPTION DEPOT; and PUREONE, LLC d/b/a SALON PURE,

Plaintiffs,

v.

VISA, INC.; MASTERCARD INCORPORATED; MASTERCARD INTERNATIONAL INCORPORATED; BANK OF AMERICA, N.A.; BA MERCHANT SERVICES LLC (f/k/a DEFENDANT NATIONAL PROCESSING, INC.); BANK OF AMERICA CORPORATION; BARCLAYS BANK PLC; BARCLAYS BANK DELAWARE; BARCLAYS FINANCIAL CORP.; CAPITAL ONE BANK, (USA), N.A.; CAPITAL ONE F.S.B.; CAPITAL ONE FINANCIAL CORPORATION; CHASE BANK USA, N.A.; CHASE MANHATTAN BANK USA, N.A.; CHASE PAYMENTECH SOLUTIONS, LLC; JPMORGAN CHASE BANK, N.A.; JPMORGAN CHASE & CO.; CITIBANK (SOUTH DAKOTA), N.A.; CITIBANK N.A.; CITIGROUP, INC.; CITICORP; and WELLS FARGO & COMPANY,

Defendants.

MDL No. 1720

Docket No. 05-md-01720-MKB-VMS

**Notice of Motion to Intervene by  
Walmart Inc.**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law and Declaration of Paul H. Schoeman, dated March 26, 2021 and attaching Walmart Inc.'s Proposed Memorandum of Law in Opposition to Equitable Relief Plaintiffs' Motion for Class Certification,

Proposed Intervenor Walmart Inc. will move this Court, before the Honorable Margo K. Brodie, United States District Judge, on a date and time to be set by the Court, at the United States Courthouse, 225 Cadman Plaza East, Courtroom 6F, for an Order granting leave to Walmart Inc. to intervene pursuant to Fed. R. Civ. P. 24 for the limited purpose of filing an opposition to Equitable Relief Plaintiffs' Motion for Class Certification dated December 18, 2020, and awarding Walmart Inc. such other and further relief as the Court deems just and proper.

Dated: March 26, 2021

**KRAMER LEVIN NAFTALIS &  
FRANKEL LLP**

/s/ Paul H Schoeman

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